

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

DONALD D. HERBOLSHEIMER,

Defendant.

CASE NO. 8:11CR63

MEMORANDUM AND ORDER

Before the Court are the Findings and Recommendation of Magistrate Judge F.A. Gossett (Filing No. 32). No objections have been filed. Under 28 U.S.C. § 636(b)(1)(C), the Court has conducted a de novo review of the record and adopts the Findings and Recommendation.

IT IS ORDERED:

1. The Magistrate Judge's Findings and Recommendation (Filing No. 32) are adopted in their entirety; and
2. The Defendant's motion to suppress (Filing No. 23) is granted in part and denied in part as explained on the record (Filing No. 34), in accordance with the Findings and Recommendation.

DATED this 30th day of June, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge